BOARD OF ADJUSTMENT Zoning Administration Division Development Services Department (DSD) 201 North Stone Avenue, Tucson, Arizona 85701

*** NOTICE OF DECISIONS ***

DATE OF PUBLIC HEARING APRIL 30, 2008

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J)&(K).

CASE NO.

THE APPLICANT

C10-08-08 LODGE ON THE DESERT/LODGE PARTNERS, LLC, 306 N. ALVERNON WAY, C-1

The applicant's property is a 4.5 acre site developed with the Lodge on the Desert, a Traveler's Accommodation, Lodging use. The applicant proposes to construct a 42,428 square foot expansion. The proposed expansion is greater than twenty-five (25%) percent, which requires the entire site be brought into compliance with all Tucson *Land Use Code (LUC)* criteria applicable to new development. *LUC* Sections applicable to this project include, in part, the following: Section 2.5.3, which provides the development criteria applicable to commercial development in the C-1 zone and Sections 3.4.3, 3.4.4, and 3.4.5 which provides the criteria for loading zones. The applicant is requesting a variance to reduce the size of one (1) of the two (2) required loading zones from twelve (12') feet wide by thirty-five (35') feet long to ten (10') feet wide by eighteen (18') feet long, as shown on the submitted plans.

DECISION: VARIANCE GRANTED SUBJECT TO THE FOLLOWING CONDITION:

A) Increase the wall height from six (6') feet high to eight (8') feet high immediately north of the dumpster enclosure and continuing south along that portion of the east boundary that is adjacent to the dumpster enclosure and loading area.

By LUC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

IMPORTANT NOTICE

FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE DEVELOPMENT SERVICES DEPARTMENT (DSD) WITHIN 180 DAYS OF THE HEARING DATE.

VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.

<u>UNLESS OTHERWISE NOTED</u>, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD' DECISION.

THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION WHICH PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE DEPARTMENT OF NEIGHBORHOOD RESOURCES FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.

If you want further information, please call Russlyn Wells at 837-4948 or Wayne Bogdan at 837-4946.

Connie Munguia, Secretary Board of Adjustment

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